

## CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Hannah Omolade	Team: Team # 2	CCRB Case #: 201200535	<input type="checkbox"/> Force	<input checked="" type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Saturday, 01/07/2012 4:50 PM	Location of Incident: 86th Street and 4th Avenue	Precinct: 68	18 Mo. SOL 7/7/2013	EO SOL 7/7/2013	
Date/Time CV Reported Sat, 01/07/2012 4:56 PM	CV Reported At: IAB	How CV Reported: Phone	Date/Time Received at CCRB Thu, 01/12/2012 10:36 AM		
<b>Complainant/Victim</b>	<b>Type</b>	<b>Home Address</b>			
<b>Subject Officer(s)</b>	<b>Shield</b>	<b>TaxID</b>	<b>Command</b>		
1. POM Qamar Zaman	02965	942738	068 PCT		
<b>Officer(s)</b>	<b>Allegation</b>			<b>Investigator Recommendation</b>	
A.POM Qamar Zaman	Discourtesy: PO Qamar Zaman spoke obscenely and/or rudely to § 87(2)(b)				

## Case Summary

On January 7, 2012, § 87(2)(b) called the Internal Affairs Bureau Command Center to file a complaint (encl. 3). IAB Log # 12-016907 was generated and the case was received at the CCRB on January 12, 2012. On January 7, 2012, at approximately 4:50 p.m., § 87(2)(b) stopped at a red light to get his phone which fell on the floor of his vehicle. PO Qamar Zaman, identified via summons, approached § 87(2)(b)'s vehicle and issued him parking violation number § 87(2)(b) standing in a "No standing" zone. The following allegations resulted:

### **Allegation A- Discourtesy: PO Qamar Zaman spoke obscenely and/or rudely to § 87(2)(b)**

§ 87(2)(g)

On January 20, 2012, § 87(2)(b) was offered mediation and he refused. He was subsequently scheduled to come to the CCRB on January 25, 2012.

## Results of Investigation

### **Civilian Statements:**

#### **Complainant/Victim:** § 87(2)(b)

- § 87(2)(b) is a § 87(2)(b)-old male, standing 5'7", weighing 158 pounds with brown hair and brown eyes.
- § 87(2)(b)

On January 7, 2012, § 87(2)(b) provided a statement to IAB (encl. 3). On January 20, 2012, § 87(2)(b) provided a telephone statement to the CCRB (encl. 5A). § 87(2)(b) was also interviewed at the CCRB on January 25, 2012 (encl. 5B-G). On January 7, 2012, at approximately 4:50 p.m., § 87(2)(b) was driving and he stopped his vehicle at a red light on 86<sup>th</sup> Street and 4<sup>th</sup> Avenue in Brooklyn to get his phone that dropped on his vehicle floor (On the IAB intake CD, § 87(2)(b) said that he stopped his vehicle to get coffee and made no mention of retrieving a phone. In addition, in his CCRB telephone statement, he stated he only stopped because the light was red). At the same time, § 87(2)(b) observed PO Qamar Zaman, identified via summons, make a U-turn and park at the rear of his vehicle at the red light. PO Zaman was the only officer in the vehicle and began writing a summons inside of his vehicle. The light turned green and the traffic continued moving. § 87(2)(b) waited at the green light for PO Zaman to see what he was going to do. PO Zaman exited his vehicle and put a "No standing" summons on the windshield of § 87(2)(b)'s vehicle.

§ 87(2)(b) called 911 and was transferred to the Internal Affairs Bureau Command Center. PO Zaman asked § 87(2)(b) who he was calling and § 87(2)(b) told him he was calling 911. PO Zaman then told § 87(2)(b) "Do I give a fuck?" and walked back to his vehicle. § 87(2)(b) was placed on hold when PO Zaman said this to him. There were witnesses in the area. § 87(2)(b) did not respond, exited his vehicle at the light and used his second phone to record PO Zaman. PO Zaman noticed that § 87(2)(b) was recording him and told § 87(2)(b) over the loudspeaker to move his vehicle. § 87(2)(b) did not comply and PO Zaman exited his vehicle and told § 87(2)(b) again to move his vehicle. § 87(2)(b) told PO Zaman

that he was talking to 911, then went into his vehicle and moved it closer to the 7/11 store, where he finished filing his complaint with IAB. PO Zaman drove away.

§ 87(2)(b) believed that PO Zaman has been harassing him. § 87(2)(g)

### **NYPD Statements:**

#### **Subject Officer: PO QAMAR ZAMAN**

- *PO Qamar Zaman is a § 87(2)(b)-old Asian male, 6'1", 220 pounds, with black hair and brown eyes.*
- *On January 7, 2012, PO Zaman was assigned to summons auto. He was not working with anyone, was in uniform and worked from 3:00 p.m., until 11:35 p.m.*

#### **Memo Book**

On January 7, 2012, at 4:50 p.m., PO Zaman issued summons #§ 87(2)(b), for no standing. No year/§ 87(2)(b) Motorist did come out of the vehicle calling 911 and videotaping. Vehicle has dark tints on all windows. Unknown if anyone in car. After, motorist came out from vehicle. Officer ordered multiple times to get back in car and move vehicle. Motorist told officer "I'm not scared of you" (encl. 6A-F).

#### **CCRB Statement**

PO Zaman was interviewed at the CCRB on June 12, 2012, after listening to the GO-15 recording of his interview at IAB (encl. 6A-K). On January 7, 2012, at 4:50 p.m., PO Zaman was driving eastbound on 86<sup>th</sup> Street in Brooklyn when, he saw a Nissan car with tinted windows parallel parked. The area was a "No standing" area. PO Zaman pulled behind the vehicle that was double parked and put his emergency lights on. The vehicle did not have brake lights or hazard lights on. PO Zaman then put his sirens on to get the motorist to move his vehicle. No one exited and the vehicle did not move. PO Zaman wrote down the plate number of the vehicle and then exited his vehicle to write the summons. § 87(2)(b) exited his vehicle videotaping PO Zaman. PO Zaman noticed § 87(2)(b) was on the phone with 911 because he § 87(2)(b) said "He is harassing me". At no point during the incident did PO Zaman tell § 87(2)(b) "Do I give a fuck" or use any profanity against him.

PO Zaman informed § 87(2)(b) that he had to move his vehicle several times. PO Zaman did not remember exactly how many times he asked § 87(2)(b) to move his vehicle. This is a commercial area and there were taxi cabs that were double parked. PO Zaman told § 87(2)(b) "You can videotape me all you want but you have to move the car." PO Zaman then proceeded back to his vehicle.

§ 87(2)(b) continued videotaping PO Zaman, getting very close to the passenger side seat of his (PO Zaman) window. PO Zaman exited his vehicle and told § 87(2)(b) again "Sir, you have to move your vehicle." § 87(2)(b) told PO Zaman that he was not scared of him. Once again, PO Zaman told § 87(2)(b) to move his vehicle, which he § 87(2)(b) subsequently did. PO Zaman was shown a video recording that was provided by § 87(2)(b). The video showed footage of PO Zaman in his vehicle, and § 87(2)(b) videotaping him up close. § 87(2)(b) was also on the phone with 911, when PO Zaman exited his vehicle and told § 87(2)(b) several times to move his vehicle. The video subsequently cuts off after this. There was no profanity used by PO Zaman in the video. PO Zaman stated the events in the video occurred after he issued the summons to § 87(2)(b). PO Zaman exited because there were motorist parked behind him.

## **NYPD Documents**

### **Radio Communication CD**

The radio communication for this incident confirmed that on January 7, 2012, at 5:04 p.m., officers arrived on the scene and at 5:59 p.m., a non-crime was corrected. The communication CD did not reveal what sector arrived on the scene (encl. 6I).

### **Other Evidence:**

#### **Video**

The video provided by § 87(2)(b) occurred after PO Zaman issued the summons to § 87(2)(b) and after any profanity was allegedly used. This video was not time stamped. In this video, § 87(2)(b) was recording PO Zaman while on the phone with 911.

- It appeared that § 87(2)(b)'s vehicle was parked adjacent to the sidewalk and directly in front of the crosswalk.
- PO Zaman's police vehicle was parked parallel to the vehicle behind § 87(2)(b)'s vehicle.
- As § 87(2)(b) approached PO Zaman's vehicle, PO Zaman exited his vehicle and approached § 87(2)(b).
- PO Zaman asked § 87(2)(b) what his problem was and what he was doing. § 87(2)(b) responded that he was calling 911.
- PO Zaman then told § 87(2)(b) to move his vehicle several times and that he § 87(2)(b) could video tape him all he wanted.
- No profanity could be heard. § 87(2)(b) told the 911 operator "The cop just got out from the car and tried to threaten me." The video then cuts off (encl. 5H).

### **Summons/Arrest for Incident and Disposition**

- [§ 87(2)(b)] [§§ 86(1)(3)&(4)] [§ 87(2)(c)]  
[REDACTED]

### **Status of Civil Proceedings**

- § 87(2)(b) has not filed a Notice of Claim with the City of New York as of July 2, 2012 with regard to this incident (encl. 11A).

### **Civilian's Criminal History**

- [§ 87(2)(b)] [§§ 86(1)(3)&(4)] [§ 87(2)(c)]  
[REDACTED]

### **Civilian's CCRB History**

- This is the first CCRB complaint filed by § 87(2)(b) (encl. 2).

### **Subject Officer's CCRB History**

- PO Zaman has been a member of the service for five years and there are no substantiated CCRB allegations against him (encl. [1]).

## **Conclusion**

### **Identification of Subject Officer:**

PO Zaman acknowledged interacting with § 87(2)(b)

### **Investigative Findings and Recommendations**

#### **Allegation A- Discourtesy: PO Qamar Zaman spoke obscenely and/or rudely to § 87(2)(b)**

It is not disputed that PO Zaman issued a summons to § 87(2)(b) for standing in a “No standing” zone. During the car stop § 87(2)(b) called 911. § 87(2)(g) § 87(2)(b) alleged that after he told PO Zaman that he was on the phone with 911, PO Zaman told § 87(2)(b) “Do I give a fuck?”

PO Zaman stated that he never used any profanity against § 87(2)(b) § 87(2)(b) provided a video recording of PO Zaman that was recorded after the alleged profanity was used. There were no witnesses in the area that might have heard this discourtesy.

§ 87(2)(g)

Team: \_\_\_\_\_

Investigator: \_\_\_\_\_  
Signature Print Date

Supervisor: \_\_\_\_\_  
Title/Signature Print Date

Reviewer: \_\_\_\_\_  
Title/Signature Print Date

Reviewer: \_\_\_\_\_  
Title/Signature Print Date